

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

BERNICE WASHINGTON o/b/o)
LACRYSTA WASHINGTON, a minor,)
Plaintiff,)
vs.)) NO. CIV-04-1722-T
JO ANNE B. BARNHART, Commissioner of)
the Social Security Administration,)
Defendant.)

ORDER

Plaintiff brought this action pursuant to 42 U.S.C. §405(g) for review of the decision of the Commissioner of the Social Security Administration denying plaintiff's application on behalf of her minor child for supplemental security income benefits pursuant to 42 U. S. C. § 416(I), 423, 1382. for Social Security disability insurance benefits. The matter was referred to United States Magistrate Judge Gary M. Purcell for initial proceedings in accordance with 28 U.S.C. §636 (b)(1)(B).

On September 13, 2005 the magistrate judge filed a Report and Recommendation [Doc. No. 19] in which he recommended that the decision of the Commissioner be reversed and that the matter be remanded for further proceedings. In the Report and Recommendation, the magistrate judge advised the parties of their right to file objections to the Report and Recommendation and cautioned them that failure to timely object would constitute a waiver of their right to appellate review of the factual findings and legal conclusions contained therein. He also scheduled an October 3, 2005 deadline for the filing of objections.

That deadline has expired, and neither party has filed an objection. Accordingly, the Report and Recommendation [Doc. No. 19] is adopted as though fully set forth herein. The decision of the Commissioner is REVERSED and this action is REMANDED for further proceedings as specified in the Report and Recommendation.

IT IS SO ORDERED this 2nd day of November, 2005.



RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE